

SUPERIOR COURT IN THE STATE OF CALIFORNIA  
COUNTY OF YOLO

PEOPLE OF THE STATE OF CALIFORNIA  
Plaintiff,

Case CR-F -08-0003355

vs.

MINUTE ORDER

MARCO ANTONIO TOPETE  
Defendant.

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Judge: PAUL K. RICHARDSON  
Clerk: JENNIFER HICKS  
Reporter: KELI RUTHERDALE  
Date: MARCH 12, 2010

HEARING: MOTION TO SUPPRESS

Counsel for the People: JEFF REISIG, DISTRICT ATTORNEY  
GARRETT HAMILTON, DEPTUTY DISTRICT ATTORNEY

Counsel for Defendant(s): HAYES GABLE, III  
THOMAS PURTELL

8:33 AM

Defendant and counsel present in open court and ready to proceed.

The Court stated that the People had filed a response to the defendant's motion to suppress stating that they do not intend to use the statements in question.

Counsel for the defendant, Thomas Purtell stated that he and the People had discussed the issue and that the People would not use the statements in their case in chief.

Counsel for the People, Garrett Hamilton stated that it could become relevant after hearing evidence at trial from the defense, but they would address it at that time.

The Court denied the motion to suppress without prejudice and stated that the People could file a

motion in limine prior to trial to protect their record.

The Court stated that he had asked that counsel meet and confer about future court dates and a motion schedule.

Counsel for the defendant, Hayes Gable stated that they intend to file a motion to continue the trial no later than April 5, 2010.

The Court stated that if the motion has merit, a short continuance could be granted, but for not more than 3-4 weeks. The Court further indicated that this trial was set last summer.

Defense counsel Gable stated that his current trial will conclude in late May. He stated that he would be requesting a continuance for more than a couple of weeks and asks the Court not to pre-judge defense's motion.

The Court stated that would not happen.

Counsel for the People, Jeff Reisig stated his concerns about not receiving any discovery from defense and asks that defense counsel file any discovery as soon as possible.

Counsel for the defendant, Mr. Purtell and Mr. Gable both stated that they will provide discovery when they have any to provide.

The Court again asks that counsel meet and confer to set future dates for motions and reviews.

The Court reiterated that if a motion to continue is granted, it would be for a relatively short time.

Counsel for the People, Mr. Hamilton stated that the Court could set briefing schedules for future motions now.

The Court stated that due to an expected filing of a change of venue motion, setting briefing schedules now might not be the best idea given that the trial date could be changing.

Counsel for the defendant, Mr. Gable stated that parties intend to meet and confer after court today.

The Court stated that something should be filed prior to the next court date as to which motions intend to be filed and a proposed schedule and time frames for hearing.

The Court asked counsel for the defendant to file their motion to continue by April 5, 2010. Counsel for the People are to file their response by April 12, 2010.

This matter is continued to APRIL 16, 2010 at 8:30 AM in DEPARTMENT 6 for a motion to continue as well as scheduling of future motions.

The defendant remained in the custody of the Sheriff's Department with bail set at NO BAIL.

8:48 AM

Court adjourned.

frmlmins.s (FMO)